

Official Minutes
Pigeon River Country Advisory Council Meeting
March 17, 2006

Chair Pete Gustafson promptly called the meeting to order at 6:30 pm at the Pigeon River Country Management Unit Headquarters.

MEMBERS PRESENT: Arch Reeves, Jim Supina, Donald Spence, Ken Glasser, Jack Owen, Eugene Horan, Bud Slingerland, Bob Bolinger, Mark Ennes, Dave Smethurst, and Richard Myers.

MEMBERS ABSENT: Mike Moreau, Phil Alexander, Don Huff, and Tim Flynn.

EX-OFFICIO PRESENT: Brian Mastenbrook

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OTHERS PRESENT: Ty Ratcliff, Kieran Fleming, Dayle Garlock, Bonnie Owen, Randy Sanders, Michael Brown, Brian Mastenbrook, Todd Flott, Judi Jarecki, John Walters, and Richard Kropf.

CHAIR'S OPENING REMARKS: Chairman Gustafson explained that Kropf would be taking the minutes of this meeting due to Jarecki's absence due to illness and called attention to two communications recently received (see Public Comments below)

DECEMBER 10, 2005 MINUTES: unanimously approved.

PUBLIC COMMENTS:

1st- John Walters told the council members of Trout Unlimited's efforts toward stream bank and trout habitat improvement on the Pigeon River planned for the coming summer. (Bud Slingerland called attention to similar efforts for the Black River by the Upper Black River Watershed Restoration Committee.) It was suggested that DNR fisheries expert Tim Cwalinski be invited to address the council on these matters in the near future.

2nd Mike Brown, speaking for Bob Strong, one of the original drafters of the 1972 Concept of Management (COM) for the PRC Forest, expressed disappointment that little of the input from the most recent meeting of the COM introduction and history subcommittee has made it into the 5th. draft of this proposed revision.

3rd. Re. the first letter (mentioned by Gustafson in his opening remarks), is from former council chairman Mike Koskus, and commends the 16 years-long efforts of the council's Standards and Limitations Committee to have the State Land Use Rules updated, and now that this has been accomplished, urges utmost vigilance on the part of the Advisory Council to see to it that these rules are followed – particularly when it comes to anything

that smacks of commercialism. (Dave Smethurst asked for more discussion of these new rules, both now and at future council meetings.)

4th. The second of the letters recently received was sent by State Attorney General Michael Cox. It regards the illegal use of bait placed by commercial bear-hunt guides on state managed forest reserve lands in the Upper Peninsula and the implications of this for state lands in the lower peninsula as well.

5th. Comments on the failure of the DNR to confirm appointment of current Advisory Council members. (Dayle Garlock, speaking for the DNR management, says they are coming. Mike Brown asked about future appointments as well.)

HACKETT LAND PURCHASE: The next item on the agenda was a presentation by Ty Ratliff of the Little Traverse Conservancy explaining their plans to purchase a square mile of wooded property toward the north-western edge of the Forest south of Webb Rd. and west of Fisherman Trail. It is completely wooded, with a small lake that drains into the Little Pigeon River. However, the LTC plans to go ahead with this purchase only on condition that it can be subsequently resold to the state for addition to the Pigeon River Country State Forest with Michigan Natural Resources Trust Fund dollars.

Mastenbrook, speaking as a wildlife biologist, attested to the importance of such an addition to the forest. Kieran Fleming, also from the LTC, stressed the need to act quickly – by April 1st! Gustafson wanted to know more about how exactly the transaction would work and why this proposed purchase was turned down by the state the previous year. Bolinger wanted to know if the taxes would be paid on time. Kropf – recalling the collapse of the Story Lake property transfer -- wanted to know if it was certain that the mineral rights would also be transferred to state ownership.

All these questions being satisfactorily answered, **Motion by** Glasser support by Smethurst that the Advisory Council support this purchase. In the subsequent discussion Slingerland reminded the council that the Trust Fund money cannot be alienated to other uses, while Bolinger and Ennes expressed their support. Smethurst stressed that the purchase be considered a “line item” on the DNR’s budget, and the arguments should be made that this property, while not surrounded by state land on all sides, is nevertheless within the boundaries of the Pigeon River Country Management Unit and is part of the elk range. Consequently the **motion** was phrased as follows: [Resolved] “to support the recommendation of the Little Traverse Conservancy and to endorse the State’s purchase of the Hackett Lake parcel as high-priority (for the reasons mentioned in our discussion tonight) and to promptly communicate that recommendation to the Director as the Advisory Council’s view that this is a purchase that should be made And joined into the Pigeon River Country State Forest.” The motion was unanimously passed.

CONCEPT OF MANAGEMENT UPDATE: As the steering committee will be meeting on March 30th. , chairman Gustafson asked first for various (sub-) committee progress reports.

Ken Glasser, for the Oil & Gas Committee, reported that their committee's final draft is close to being completed, and will include a prohibition of converting any non-development leases into development status. When the question of "twinning" existing Development leases to allow for Antrim wells alongside old Niagaran wells within the consent agreement area, the issue (as regards state land) is still in the process of debate and how this is resolved could affect the Pigeon, especially in newly annexed regions of the Forest. Smethurst is particularly concerned regarding the re-leasing of lands once existing leases expire. Slingerlend reminded the council that gas deposits underlie all of the lower peninsula. Kropf said he has information that Aurora Energy is looking for ways to tap the gas deposits under the Blue Lakes tract and asked why the proposed swap of these mineral rights for other state-held mineral rights never took place. Garlock reminded the Council that anything designated as non-leasable within the area of the Pigeon River Consent Agreement is going to stay that way.

Dave Smethurst, speaking for the Recreation and Law Enforcement Committee, reported that after meeting twice more in January, their work was done. However, Supina expressed disappointment that hunting over bait had not been expressly forbidden, as it is not just an "ethics" issue but also has to do with the goal of keeping the PRCSF a wild and natural place. Gustafson reminded the Council that the whole Concept of Management is replete with ethics issues, and that the Council will have a chance for further input when the whole text of the COM update is available for comment.

The Fisheries and Aquatics committee completed its work as far back as last May. However, Slingerlend believes that a new statement reiterating the goal of keeping the rivers in the forest "wild and scenic" (a Federal designation) needs to be supplemented Official State "natural river" designation.

Dick Myers, speaking for the committee on Vehicles, Sand & Gravel and Utilities, assured the council that road vehicles would be allowed on county roads and designated forest roads only, with ATVs and dirt bikes prohibited in the forest. Snowmobiles will also be confined to the county roads and those forest roads open to wheeled motor vehicles in the existing Vehicle Access management plan. Further discussion followed about past removal (and storage) of gravel from the Forest lands, the state of creek crossings, and gas and other utility transmission lines through Forest lands.

Arch Reeves presented the Forest Cover and Wildlife Habitat committee's draft, completed after nine meetings of the committee.

Eugene Horan reported that the Private Land Committee has been busy working on a prioritizing system for categorizing the status of private lands within the Forest.

Bud Slingerlend believes that the Dedication section of the COM will need to be accompanied by a much better map, and needs to stress that the COM will apply to the whole PRC management unit. He also spoke about the need to add a "Preface" to the Introduction and History of the updated COM, while Kropf tried to explain the tensions

that surfaced over this part of the project. Smethurst questioned as to just what a “history” should include, while Glasser suggested that “appendices” might be used to deal with some of these issues. Further discussion was postponed until after a 20 minute break.

BREAK 8:50 pm to 9:12 pm

Discussion of the Introduction and History resumed at 9:12 pm with Brown’s quoting of Santayana’s warning about an ignorance of history leading to history repeating itself. Reeves suggested that perhaps a new paragraph be added to the history regarding “battles fought” and issues still to be resolved. Horan suggested the battle fought (and lost) over the plans for “Song of the Morning Ranch” be moved to past history from present challenges, while Glasser suggested that a paragraph be added on each major unresolved issue, while Kropf said he had tried to sum up the three major areas of contention in the new preface. He promised to try to work out a further compromise before the March 30th. steering committee meeting.

Finally, regarding Slingerland’s explained additions to the Advisory Council section of the COM update, but the addition of a “90 day” request for responses from the DNR was thought to be needed to be changed in such a way that responses to questions posed by the Council at one meeting would come before the next meeting.

In the face of all this secretarial work, the loss of PRC Management Unit Headquarters secretary Joan Thornton, who recently died, is keenly felt. Dave Smethurst proposed that the Advisory Council send its condolences to her family. Seconded by Jim Supina, the resolution was unanimously passed.

DNR FOREST, MINERAL & FIRE MANAGEMENT: Dayle Garlock, who will be taking Bill O’Niell’s place as an “Ex-officio” member of the council in these matters, reiterated that the Council appointments are on a “fast track”. The question of unfilled vacancies from 2005 was also mentioned. Garlock also promised that there would be a new 3-day per week secretary supplied to the office, whose duties will include being minute-taker for future Advisory Council meetings. Garlock also announced that Don Mittlestat will be filling in for Joe Jarecki during his illness and that due to the constraints of the situation, no summer intern program is planned this year. Garlock also said that he will be prepared to discuss the new land use rules at the next meeting.

WILDLIFE DIVISION: Brian Mastenbrook announced that no new cases of bovine TB turned up this past fall in either Cheboygan or Otsego counties. The early Aug.-Sept. elk season to reduce the herd near Hillman and south of Johannesburg was not as successful as hoped. The regular season in December was more successful and air surveys of radio-collared animals indicate that there are between 700-800 elk. Supina suggested that the Council be briefed some time on elk movements based on the tracking of these collared animals.

ROAD & BRIDGE ISSUES: Although not originally on the agenda, it was felt that these matters need urgent attention. Arch Reeves read a Standards and Limitations Committee Resolution to try to have clarified the road commission's new work and maintenance definitions – but which as not responded to by the Otsego County Road Commission. Gustafson suggested that Reeves attend the next road commission meeting to get answers.

The replacement of the Sturgeon Valley Rd. bridge over the Pigeon River is planned for 2007, but the replacement of the Webb Rd. bridge over the Little Pigeon R. will take place this summer. Replacement of the bridge over the Pigeon on Tin Bridge Rd. is being planned for 2007. Although the bridge is close to “critical” condition – meaning it may not be long capable of carrying anything as heavy as a car -- there is some feeling among Council members that the bridge ought to be removed, not replaced.

OIL & GAS COMMITTEE: (Remarks continued from earlier COM subcommittee report). Don Spence is retiring from Merit Energy, with Todd Flott replacing him in Merit's office in Dallas. Randy Sanders will replace him as Merit's representative on the Advisory Council. To Smethurst's question about what now constitutes marginality, it was pointed out that 1 MCF of gas is now equivalent to one barrel of oil at around \$65 dollars per barrel. Whether a well is marginal or not depends on balancing production costs in terms of the price.

Slingerlend moved the meeting be closed, everyone seconded, and which it did at 10:30 pm.

Minutes submitted by Richard Kropf
Mar. 22, 2006